

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0236 – Dawson Neighborhood **P.C. DATE:** December 11, 2007
Vertical Mixed Use Building (V) Rezoning

AREA: 34 tracts on 41.14 acres

APPLICANT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD),
Andrew Holubeck

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Neighborhoods Council
Barton Springs/ Edwards Aquifer Conservation Dist.
Bouldin Creek Neighborhood Assn.
Bouldin Creek Neighborhood Planning Team Liaison - COA
Bouldin Forward Thinking
CIM
Dawson Neighborhood Assn.
Dawson Neighborhood Planning Team
Dawson Neighborhood Planning Team Liaison - COA
Galindo Elementary Neighborhood Assn.
Home Builders Association of Greater Austin
Homeless Neighborhood Organization
SoCo-South First St.
South Austin Commercial Alliance
South Central Coalition
South Congress South First
South Lamar Combined Planning Area Staff Liaison
South River City Citizens Assn.
Terrell Lane Interceptor Assn.

AREA OF PROPOSED ZONING CHANGES: The Dawson Neighborhood Planning Area is bounded by South 1st Street to the west, Ben White Blvd. to the south, South Congress Avenue on the east, and West Oltorf Street on the north. Please refer to Attachments.

WATERSHEDS: West Bouldin, East Bouldin (urban)

DESIRED DEVELOPMENT ZONE: Yes

SCHOOLS: Dawson Elementary School

APPLICABLE CORE TRANSIT CORRIDORS : South Congress Ave and South 1st St.**STAFF COMMENTS:**

The VMU Overlay District in the Dawson Neighborhood Planning Area includes 41.14 acres. The Dawson Neighborhood Plan Contact Team is recommending excluding several properties from the Overlay District, a total of approximately 1.9 acres. The Contact Team also recommends opting into VMU regulations about 4.18 acres. The net acreage of the Contact Team's recommendations for properties to be included in the VMU Overlay District is about 43.42 acres.

LIST OF ATTACHMENTS:

- Attachment 1:** Dawson Neighborhood Vertical Mixed Use (VMU) Opt-In / Opt-Out Application
- Attachment 2:** List of Dawson Neighborhood VMU Application Properties by Tract #, TCAD Property ID and City of Austin Address for properties in the VMU Overlay District and for Opt-In Properties
- Attachment 3:** Dawson VMU Neighborhood Recommendations – Opt-Out and Opt-In Properties
- Attachment 4:** Dawson VMU Tract Map – VMU Overlay District Tracts
- Attachment 5:** Dawson VMU Tract Map – VMU Opt-In Tracts
- Attachment 6:** Zoning Map
- Attachment 7:** Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process
- Attachment 8:** Planning Commission Comment Forms

PLANNING COMMISSION RECOMMENDATION:

December 11, 2007:

- RECOMMENDED TO APPROVE VERTICAL MIXED USE BUILDING (V) ZONING WITH DIMENSIONAL STANDARDS, PARKING REDUCTION, AND ADDITIONAL USES IN OFFICE DISTRICTS TO TRACTS 2-3, 5-7, 10-14, AND 16-25 (7-0).
- RECOMMENDED TO APPROVE VERTICAL MIXED USE BUILDING (V) ZONING WITH DIMENSIONAL STANDARDS, PARKING REDUCTION, AND ADDITIONAL USES IN OFFICE DISTRICTS TO TRACTS 101-109 (7-0).
- RECOMMENDED TO EXCLUDE TRACTS 1, 4, 8-9, AND 15 FROM THE VMU OVERLAY DISTRICT (7-0).
- RECOMMENDED TO APPROVE AN AFFORDABILITY LEVEL OF 60% OF THE MEDIAN FAMILY INCOME FOR 10% OF RENTAL UNITS IN A VERTICAL MIXED USE BUILDING (7-0).

ISSUES: None at this time.

CITY COUNCIL DATE: January 10, 2007

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Andrew Holubeck
e-mail: andrew.holubeck@ci.austin.tx.us

PHONE: 974-2054

NEIGHBORHOOD RECOMMENDATION

Because the Mixed Use Building option and VMU are similar in intent and structure, the Dawson Neighborhood Plan Contact Team is recommending that VMU regulations, with all development incentives, be applied to those properties that were originally designated as Mixed-Use Building in their neighborhood planning process. This includes most of the tracts shown in the “Vertical Mixed Use (VMU) Overlay District” table and the “Vertical Mixed Use (VMU) Tract Map: VMU Overlay District (OPT-OUT Properties)” map, with the exception of Tracts 1, 4, 8, 9, and 15.

The Contact Team is recommending excluding Tracts 4, 8, and 9 from the VMU Overlay District because these properties were not included as Mixed Use Building during the neighborhood planning process due to small lot size and residential nature. Furthermore, the Dawson Neighborhood Future Land Use Map designates Tract 9 as Office, but does not allow for Mixed Use.

In addition, the Contact Team is recommending excluding Tracts 1 and 15 from the VMU Overlay District (though both of these do have the Mixed Use Building designation). Tract 1 is adjacent to a park, is a small parcel, and is isolated from any other VMU-designated tracts. Tract 15 has only a very small flag lot adjacency to Congress Avenue, and exists mainly behind properties fronting on Congress, in a more interior area of the neighborhood.

Finally, several parcels that were designated as Mixed Use Building during the Dawson Neighborhood Planning process were not included as part of the VMU Overlay District. The Contact Team is recommending that these properties be opted into VMU regulations (including all VMU development incentives). These Opt-In properties are represented by Tracts 101 through 109, as shown in the “Vertical Mixed Use (VMU) Opt-In Properties” table and the “Vertical Mixed Use (VMU) Tract Map: VMU OPT-IN Properties” map.

The Contact Team is also recommending an affordability level of 60% of the median family income for future VMU Rental Units.

A table summarizing the neighborhood recommendations is found in Attachment 3.

BACKGROUND

On August 31, 2006, the City Council adopted the “Design Standards & Mixed Use” ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless “opted-out”. Properties not fronting on the Core Transit Corridors are not eligible for VMU unless “opted-in”.

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2007-0236 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Dawson Neighborhood application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 7.

Representatives of the Dawson Neighborhood Plan Contact Team submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on May 31, 2007. The Contact Team submitted an amended application on August 8, 2007. See the “Neighborhood Recommendation” section above for more details

Impervious Cover

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%

SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u>)

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

Transportation

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

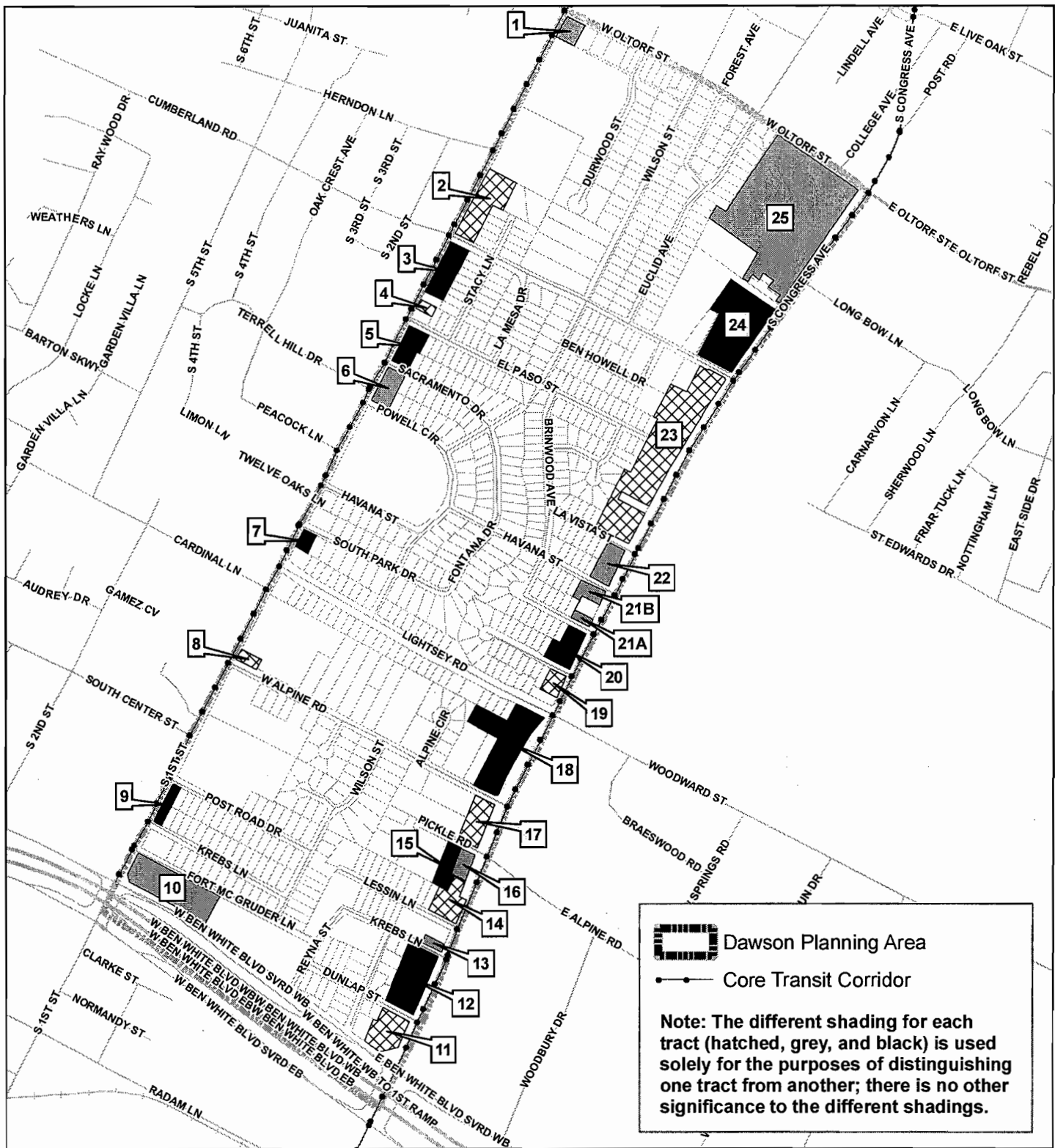
A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

Water and Wastewater

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district/use will be subject to compatibility development regulations.



**Dawson Neighborhood Planning Area
Vertical Mixed Use (VMU) Tract Map
VMU Overlay District (OPT-OUT Properties)
Case # C14-2007-0236**

0 500 1,000 2,000 Feet



Produced by City of Austin
Neighborhood Planning and Zoning Dept.
November 20, 2007

Please refer to attached tables "Dawson
Neighborhood VMU Application Properties" and
"Dawson Neighborhood VMU Neighborhood
Recommendations" for more information.

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

DAWSON AMENDED

RECEIVED

AUG - 8 2007

AMENDED – AUGUST 8, 2007

VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

Neighborhood Planning & Zoning

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Please read these instructions prior to completing this application. A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal. If you have questions or need additional information please contact the VMU Help Line at:
vmu@ci.austin.tx.us or (512) 974-2150

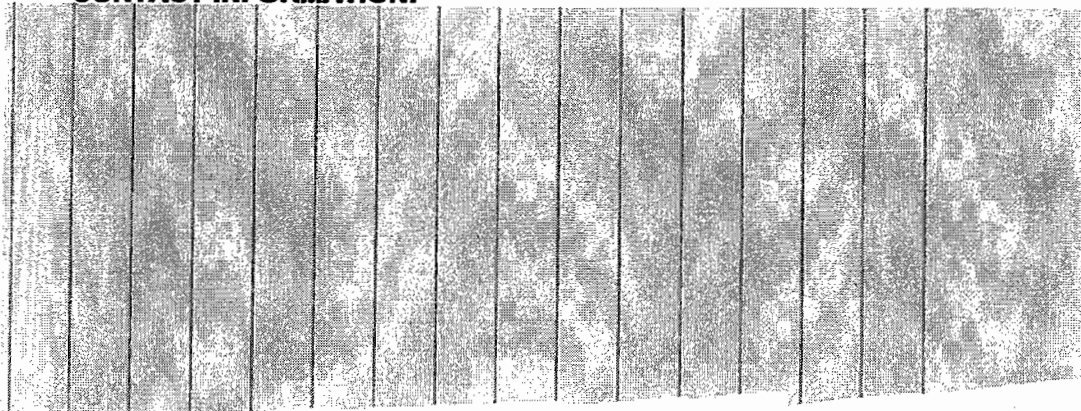
1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA*:

Dawson Neighborhood Plan Area which is bounded on the North by West Oltorf St., on the South by Ben White Blvd. (Hwy 71 and 290 West), on the East by South Congress Ave., and on the West by South First St.

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <ftp://coageoid01.ci.austin.tx.us/GISData/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

**B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.
NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR
CONTACT INFORMATION:**



2. PRINT AND REVIEW THE DETAILED MAPS FOR YOUR AREA

Detailed maps for each application area can be found by going to the map located at the bottom of www.ci.austin.tx.us/planning/verticalmixeduse.htm.

3. IF YOUR AREA HAS PROPERTIES IN THE VMU OVERLAY DISTRICT COMPLETE THE ATTACHED VMU OVERLAY DISTRICT FORM.

See Instructions for VMU Opt-In/Opt-Out Process for more detail.

5. IDENTIFY A RECOMMENDED LEVEL OF AFFORDABILITY FOR FUTURE VMU RENTAL UNITS.

Indicate a level of affordability for residential rental units. The affordability requirements are triggered only when a VMU Building takes advantage of the dimensional standards and parking reductions approved for a site.

Note: A single affordability level applies to all VMU-eligible properties within the application area. See Instructions for VMU Opt-In/Opt-Out Process for more detail.

Recommended Affordability Level for VMU-eligible properties (check one):

- ☐ 80% of median family income
☐ 70% of median family income
☒ **60% of median family income**
☐ Other level between 60-80% of median family income

6. PLEASE PROVIDE THE FOLLOWING INFORMATION:

A. The following questions refer to the official vote taken by the Neighborhood Planning Team or Neighborhood Association on the Opt-In/Opt-Out application.

A. Was the vote taken in accordance with the Neighborhood Plan Team or Neighborhood Association by-laws?

Yes ☒ No ☐

If No, please explain why and how the vote was taken. For example: multiple neighborhood associations were involved with the vote and each association has different by-laws. N/A

B. Please provide the results of the vote: **See attached "DNPT Special Meeting Minutes, June 20, 2007"**

C. Number of people in attendance at the meeting: 25

D. Please explain how notice of the meeting at which the vote was taken was provided:

Notice was included in the May/June 2007 "Dawson Neighborhood News" which was distributed door to door and also on line on our listserve at <http://groups.yahoo.com/group/DawsonNeighborhood> In addition, a special announcement flyer was distributed by hand to each member of the DNPT (Contact Team) who could not be reach by phone or email (see attached flyer).

E. Please attach a copy of the notice of the meeting at which the vote was taken.
Attached

F. Please provide a copy of the meeting minutes at which the vote was taken. **Attached**

G. Please read and sign the following:

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN
ACCORDANCE WITH :

Neighborhood Plan Team By-Laws: X
Neighborhood Association By-Laws: X
Other, as described in question A., above:

SIGNATURE OF CHAIR (OR DESIGNEE) *Cynthia Medlin* DATE: *August 7, 2007*

7. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:

Neighborhood Planning and Zoning Department
Attn: George Adams
P.O. Box 1088
Austin, TX 78767

or, drop-off at the NPZD office at:
One Texas Center
505 Barton Springs Road, 5th floor

VERTICAL MIXED USE APPLICATION
SUBMITTAL CHECKLIST

- X 1. Completed application with signature of chairperson.
- X 2. Detailed maps showing locations of properties opted-in or opted-out.
- X 3. Completed VMU Opt-Out Form, if applicable
- N/A 4. Completed VMU Opt-In Form, if applicable.
- X 5. Copy of the notice of the meeting at which the vote was taken.
- X 6. Copy of the meeting minutes at which vote was taken.

See Additional Comments from the Dawson Neighborhood
Plan Team Chair attached.

Cynthia Medlin
Chair of Dawson Neighborhood Plan (Contact) Team
2501 Wilson St.
Austin, TX 78704

August 7, 2007

Mayor Wynn, Mayor Pro-Tem Dunkerley, and Council Members
P.O. Box 1088
Austin, TX 78767

RE: AMENDED VERTICAL MIXED USE OPT-IN/OPT-OUT APPLICATION FOR THE
DAWSON NEIGHBORHOOD PLAN AREA

Please see the previously-submitted Vertical Mixed Use application with attachments submitted by me on May 31, 2007 included with this Amended VMU Application for background information.

The Dawson Neighborhood Plan (Contact) Team decided to take advantage of the additional time given to neighborhoods to consider the option to Opt-In or Opt-Out of specific properties along our core transit corridors and to revisit affordability due to questions about the initial vote. At the DNPT's regularly scheduled meeting on June 11, 2007 the DNPT voted to change the Bylaws to allow special meetings (see attached minutes). Then a special meeting was held on June 20, 2007 to further consider VMU issues, the minutes are attached. Three major decisions were reached at this special meeting as follows:


The DNPT voted to utilize the list of properties from the Dawson Neighborhood Plan Rezoning Ordinance Number 0110206-10 with effective date of December 17, 2001 to identify the properties to opt-in to the Vertical Mixed Use designation and applicable options. Please refer to Part 4 of this ordinance. Under this section the tracts that could be developed as mixed use building special use were identified. These were the properties we selected as our basis for Opt-in. All properties having residential base zoning were removed from the list. Then properties on interior blocks that did not have frontage along either South Congress Ave. or South First St. were removed and the addresses have been crossed out on the attached ordinance list (pages 2 through 4). The address under item 14 Congress Av S (.47 Ac Blk 6 & 7 Fortview Addn.) was difficult to identify but the assumption is that the city does have a way to determine the actual address(es) of this property. There is a question mark next to this property on the list for this reason. The DNPT voted to Opt-in to the Vertical Mixed Use overlay district with 1) commercial use parking reduction, 2) "bonus" ground floor uses for Office Base Zoning and 3) dimensional standards ("bonus densities") on each address that is not crossed out on the attachment. Some properties have an address on a street perpendicular to the core transit corridor but have at least one side of the property on a core transit corridor.

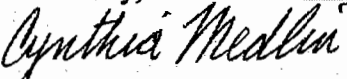
The DNPT voted to Opt-out of the property located at 515 Post Rd. Although staff assured us that this property was not designated to be included in the mandatory VMU overlay it is owned

By, and adjacent to, a commercial business on South First that is eligible. Some neighborhood representatives elsewhere in Austin have reported being informed by city staff that properties designated as mixed use commercial that are adjacent to eligible properties along major transit corridors would automatically be included unless the neighborhood opted-out. As a precaution, the DNPT elected to opt-out of 515 Post Rd. because the only reason we agreed to changing the zoning to allow commercial mixed use was because the owner (River City Engineering) agreed to enter into a restrictive covenant. That covenant prohibits increasing "the total square footage of the existing improvements"...or "change the residential character of the improvement..." (see attached copy of the Declaration of Restrictive Covenants as presented to Council on June 22, 2006).

Finally, in order to clarify the percentage of affordability desired by the Dawson Neighborhood Plan area a second vote was conducted. This time the motion for affordability was as follows: "The VMU affordability incentive be adjusted to 60% (of the current Median Family Income) neighborhood wide." The vote was 15 for the motion and 8 against. (see attached DNPT Special Meeting Minutes June, 20, 2007). The Dawson Neighborhood continues to stand behind it's principle of retaining and encouraging affordable housing options for our residents.

If you have any questions or conc




Cynthia Medlin
Chair, Dawson NPT

Attachments

DAWSON NEIGHBORHOOD

(SF-3-NP) combining district, multifamily residence medium density-neighborhood plan
 (MF-3-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, as more particularly described and identified in the chart below.

OPT-IN PROPERTIES (not crossed out)

CM

TRACT	ADDRESS	FROM	TO
1	2607 S 1st St	CS	CS-CO-NP
1	2613 S 1st St	CS	CS-CO-NP
1	2617 S 1st St	CS	CS-CO-NP
2	2701 S 1st St	CS	CS-CO-NP
2	2707 S 1st St	CS	CS-CO-NP
2	2709 S 1st St	CS	CS-CO-NP
2	2715 S 1st St	LR	LR-CO-NP
3	2901 S 1st St	GR	GR-CO-NP
3	2907 S 1st St	LR	LR-CO-NP
4	2915 S 1st St	LR	LR-CO-NP
4	2911 S 1st St	LR & CS	LR-CO-NP CS-CO-NP
5	3105 S 1st St	LR	LR-CO-NP
5	515 Havana St	LR	LR-CO-NP
5	516 South Park Dr	LR	LR-CO-NP
6	513 South Park Dr	LR	LR-CO-NP
6	515 South Park Dr	LR	LR-CO-NP
6	516 Lightsey Rd.	LR	LR-CO-NP
6	520 Lightsey Rd	LR	LR-CO-NP
7	554 S. 1st St	LR	MF 2 NP
7	517 Lightsey Rd	LR	MF 3 NP
7	518 Lightsey Rd	LR	MF 3 NP
8	400 W Alpine	MF 4	MF 2 NP
11	500 W Ben White Blvd	CS	CS-CO-NP
12	3900 S Congress Ave	CS	CS-CO-NP
12	3906 S Congress Ave	CS	CS-CO-NP
12	3887 Wadford Ct	CS	CS-CO-NP
12	3818 A Wadford Ct	GR	GR-CO-NP
14	3881 Wadford Ct	CS	CS-CO-NP
14	3885 Wadford Ct	CS	CS-CO-NP
14	3820 S Congress Ave	CS	CS-CO-NP
14	3822 S Congress Ave	CS	CS-CO-NP
14	3842 S Congress Ave	CS	CS-CO-NP
? 14	Congress Av S (.47 Ac Blk 6&7, Fortview Addn.)	CS	CS-CO-NP
14	3 Wadford Ct (-100 Ac of Lot A* Resub of Lot 2, Krebs Lane Addn.)	CS	CS-CO-NP

TRACT	ADDRESS	FROM	TO
15	263 Lessin Ln <i>now</i> <i>3800 S Congress</i>	LI & CS	LI-CO-NP CS-CO-NP
15	3808 S Congress Ave	CS	CS-CO-NP
16	268 Lessin Ln	MF 2	CF 2 NP
17	110 Lessin Ln	CS	CS-CO-NP
17	3716 S Congress Ave	CS	CS-CO-NP
18	424 Pickle Rd	LI & CS	LI CO NP CS-CO-NP
18	3630 S Congress Ave	CS	CS-CO-NP
18	3632 S Congress Ave	CS	CS-CO-NP
20	200 Pickle Rd	SE 3, W/L O &	B, Public NP
		LI	
20	0 Congress Av S (Blk 1, Forview Addn)	SE 3 & CS	B, Public NP
21	3600 S Congress Ave	CS	CS-CO-NP
21	3612 S Congress Ave	CS-1	CS-1-CO-NP
22	3400 S Congress Ave	CS	CS-CO-NP
22	3500 S Congress Ave	CS	CS-CO-NP
22	3510 S Congress Ave	CS	CS-CO-NP
22	0 Congress Av S (Abc. 0 Sur 20 Decker & Vao Street)	CS	CS CO NP
23	3300 S Congress Ave	CS	CS-CO-NP
23	3314 S Congress Ave	CS	CS-CO-NP
24	3200 S Congress Ave	CS	CS-CO-NP
24	3208 S Congress Ave	CS	CS-CO-NP
25	3100 S Congress Ave	CS	CS-CO-NP
25	3102 S Congress Ave	CS	CS-CO-NP
25	3116 S Congress Ave	CS	CS-CO-NP
26	112 Havana St	CS	CS-CO-NP
26	3000 S Congress Ave	CS-1	CS-1-CO-NP
26	3012 S Congress Ave	CS	CS-CO-NP
27	2810 S Congress Ave	CS	CS-CO-NP
27	2824 S Congress Ave	CS	CS-CO-NP
27	2902 S Congress Ave	CS	CS-CO-NP
27	2908 S Congress Ave	CS	CS-CO-NP
27	2910 S Congress Ave	CS	CS-CO-NP
27	2912 S Congress Ave	CS	CS-CO-NP
27	2914 S Congress Ave	CS	CS-CO-NP
28	111 Cumberland Rd	CS	CS-CO-NP
28	119 Cumberland Rd	CS	CS-CO-NP
28	2704 S Congress Ave	CS	CS-CO-NP
28	2716 S Congress Ave	CS	CS-CO-NP
28	2728 S Congress Ave	CS	CS-CO-NP
28	2730 S Congress Ave	CS	CS-CO-NP

TRACT	ADDRESS	FROM	TO
29	2536 S Congress	GR	MF-2-NP
30	2530 S Congress Ave	CS	CS-CO-NP
30	2538 S Congress Ave	CS	CS-CO-NP
30	2542 S Congress Ave	CS	CS-CO-NP
30	2602 S Congress Ave	CS	CS-CO-NP
30	2620 S Congress Ave	CS	CS-CO-NP
30	0 Congress Av S (Lot 3, Oak Glen)	CS	CS-CO-NP
30	2428 S Congress Ave	CS	CS-CO-NP
30	2510 S Congress Ave	GR-CO & CS	GR-CO-NP CS-CO-NP
31	2400 S Congress Ave	GR & CS	GR-CO-NP CS-CO-NP
32	504 W Olorf St	GR	GR-00-NP
32	506 W Olorf St	GR	GR-00-NP
32	506 W Olorf St	GR	GR-00-NP
32	517 W Olorf St	GR	GR-00-NP
32	527 W Olorf St	CS & CS-1	CS-00-NP CS-1-CO-NP
32	529 W Olorf St	GR	GR-00-NP

PART 3. Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 and 25-2-1463 of the Code

PART 4. The following properties may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

- a. Tracts 1 through 6, 11 through 15, 17, 18, 21 through 28, and 30 through 32; and
- b. 3801 and 3809 S 1st St., and
515 Krebs Ln.

PART 5. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Pawnshop services use is prohibited on:
 - a. Tracts 1, 11 through 14, 17, 21 through 28, and 30 through 32; and
 - b. The portions of Tracts 2, 3, 4, 15 and 18 zoned general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district.

RECEIVED

MAY 31 2007

VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Please read these instructions prior to completing this application. A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal. If you have questions or need additional information please contact the VMU Help Line at: vmu@ci.austin.tx.us or (512) 974-2150

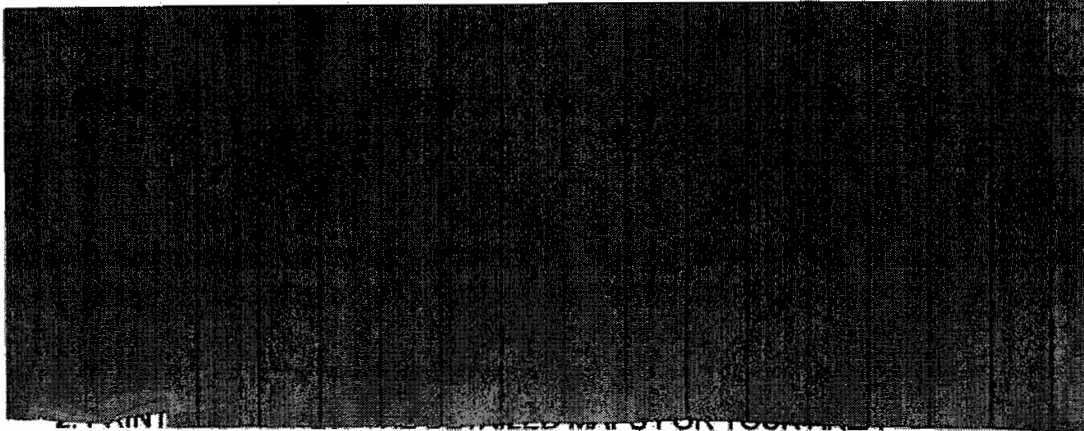
1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA*:

Dawson Neighborhood Plan Area which is bounded on the North by West Oltorf St., on the South by Ben White Blvd. (Hwy 71 and 290 West), on the East by South Congress Ave., and on the West by South First St.

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <ftp://coageoid01.ci.austin.tx.us/GISData/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT. NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:



Detailed maps for each application area can be found by going to the map located at the bottom of www.ci.austin.tx.us/planning/verticalmixeduse.htm.

3. IF YOUR AREA HAS PROPERTIES IN THE VMU OVERLAY DISTRICT COMPLETE THE ATTACHED VMU OVERLAY DISTRICT FORM.

See Instructions for VMU Opt-In/Opt-Out Process for more detail.

A blank copy of the VMU Overlay District form is provided below. Please print additional copies as needed.

RECEIVED

MAY 31 2007

5. IDENTIFY A RECOMMENDED LEVEL OF AFFORDABILITY FOR FUTURE VMU RENTAL UNITS. Neighborhood Planning & Zoning

Indicate a level of affordability for residential rental units. The affordability requirements are triggered only when a VMU Building takes advantage of the dimensional standards and parking reductions approved for a site.

Note: A single affordability level applies to all VMU-eligible properties within the application area. See Instructions for VMU Opt-In/Opt-Out Process for more detail.

Recommended Affordability Level for VMU-eligible properties (check one):

- ☐ 80% of median family income
☐ 70% of median family income
☒ **60% of median family income**
☐ Other level between 60-80% of median family income

6. PLEASE PROVIDE THE FOLLOWING INFORMATION:

A. The following questions refer to the official vote taken by the Neighborhood Planning Team or Neighborhood Association on the Opt-In/Opt-Out application.

A. Was the vote taken in accordance with the Neighborhood Plan Team or Neighborhood Association by-laws?

Yes ☒ No ☐

If No, please explain why and how the vote was taken. For example: multiple neighborhood associations were involved with the vote and each association has different by-laws. N/A

B. Please provide the results of the vote: **See attached "FINAL VOTE COUNT"**

C. Number of people in attendance at the meeting: 37 see sign-in sheet

D. Please explain how notice of the meeting at which the vote was taken was provided:

Notice was included in the March/April 2007 "Dawson Neighborhood News" which was distributed door to door and also on line at www.dawsonneighborhood.com the Dawson Neighborhood Web site and neighborhood listserve.

E. Please attach a copy of the notice of the meeting at which the vote was taken.

F. Please provide a copy of the meeting minutes at which the vote was taken.

G. Please read and sign the following:

RECEIVED

MAY 31 2007

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN
ACCORDANCE WITH : **Neighborhood Planning & Zoning**

Neighborhood Plan Team By-Laws: X

Neighborhood Association By-Laws: X

Other, as described in question A., above:

Cynthia Medlin, Chair of DNPT
SIGNATURE OF CHAIR (OR DESIGNEE)

May 30, 2007
DATE

7. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:

Neighborhood Planning and Zoning Department
Attn: George Adams
P.O. Box 1088
Austin, TX 78767

or, drop-off at the NPZD office at:
One Texas Center
505 Barton Springs Road, 5th floor

**VERTICAL MIXED USE APPLICATION
SUBMITTAL CHECKLIST**

- 1. Completed application with signature of chairperson.
- 2. Detailed maps showing locations of properties opted-in or opted-out.
- N/A** 3. Completed VMU Opt-Out Form, if applicable
- N/A** 4. Completed VMU Opt-In Form, if applicable.
- 5. Copy of the notice of the meeting at which the vote was taken.
- 6. Copy of the meeting minutes at which vote was taken.

**See Additional Comments from the Dawson Neighborhood
Plan Team Chair attached.**

Additional Comments on Vertical Mixed Use

Cynthia Medlin, Chair of Dawson Neighborhood Plan Team
May 30, 2007

The Vertical Mixed Use implementation has been problematic for our neighborhood, as I am certain it has been for many others, for a variety of reasons. First, despite multiple meetings to explain VMU to the neighborhood representatives the information provided early on was not adequate later in the process. Some of us had no time to attend the multiple meetings required to stay updated and were attacked for not doing so. Another problem is varying levels of understanding of what was being discussed. We certainly had some people in our area totally confused about what VMU was and how it was different or the same to what we already had in place.

In our neighborhood we adopted Neighborhood Mixed Use Building special use not an MU overlay. So while our Future Land Use Map shows MU (brown color) the actual designation is NMUB. One issue that is very important for the Dawson Neighborhood Plan area is for the City of Austin to assure that VMU designation along our transit corridors of South First St and South Congress Ave does not open these corridors up to an MU overlay situation. In other words, we want Mixed Use Building options **only** whether the developer selects Neighborhood Mixed Use Building or Vertical Mixed Use Building. It is understood that choosing MU of either type is an option, not a requirement, and that the commercial base zoning prevails.

Another concern with this process is that the maps provided by the City of Austin are not very accurate. Many addresses are missing or incorrect and base zoning is not identified on them. There appear to be some residential addresses on these maps. We were informed that the VMU would not apply to residential base zoning so why are the addresses on the map? (See our attached map segments and the notations made on them.) Since our initial vote was based on the map provided by the City of Austin there will be some "adjustments" that need to be made between June 4 and July 19, 2007. It would be preferable for the city to use the attached Ordinance No. 011206-10 (Dawson Neighborhood Plan zoning changes) list of properties for addresses since it is more accurate.

As our Dawson Neighborhood Plan Team Bylaws and meeting schedule did not allow for more than one meeting to vote on the VMU ordinance passed by Council there were several issues not addressed in April 2007. If the membership votes to allow additional meetings to discuss VMU then there may be some Opt In and Opt Out decisions made between June 4 and July 19, 2007. I am hoping to get a more specific vote on the affordability issue at our next meeting on June 11, 2007 as only 9 people actually wrote a percentage on the ballots provided (see attached vote count). An additional meeting will be required to consider opt in or opt out for specific properties that do not front South First or South Congress. One vote we need to take is whether to opt out on 515 Post Rd. since there is a restrictive covenant on that property that would not allow VMU development. Several properties that do not front on South First and South Congress may be "opted in" to provide greater flexibility and opportunity for re-development. Please consider this application a preliminary application.


Cynthia Medlin, Chair, Dawson Neighborhood Plan Team

FINAL VOTE COUNT

**VERTICAL MIXED USE OVERLAY DISTRICT BALLOT
DAWSON NEIGHBORHOOD PLAN TEAM MEETING
MONDAY, APRIL 9, 2007**

SOUTH FIRST STREET – Opt-In or Opt-Out by address one or more of the following:

- Dimensional standards or “density bonuses” **For: 30 Against: 2**
- Commercial use parking reductions **For: 18 Against: 14**
- “Bonus” ground floor uses available for particular properties **For: 32 Against: 0**
- Increased affordability for VMU rental units **For: 31 Against: 1**

9 of the 31 ballots for increased affordability wrote 60% on the ballot

SOUTH CONGRESS AVE - Opt-In or Opt-Out by address one or more of the following:

- Dimensional standards or “density bonuses” **For: 30 Against: 2**
- Commercial use parking reductions **For: 19 Against: 13**
- “Bonus” ground floor uses available for particular properties **For: 32 Against: 0**
- Increased affordability for VMU rental units **For: 31 Against: 1**

9 of the 31 ballots for increased affordability wrote 60% on the ballot

**OPT-IN ON ADDITIONAL COMMERCIAL PROPERTIES ALONG THESE TWO
CORRIDORS WHICH ARE NOT INCLUDED ON THE CURRENT VMU MAP**

For: 13 Write-in address: 3800 S Congress For: 1

**TAKE NO ACTION TO OPT-IN OR OPT-OUT BY ADDRESS AND ALLOW VERTICAL
MIXED USE STANDARDS TO BE IMPOSED ON THE LISTED PROPERTIES ALONG
SOUTH FIRST STREET AND SOUTH CONGRESS AVE.**

No marks for this one on the ballots

Write-in: “Add commercial property on Ben White” For: 9

**Ballots counted by Rob Robbins of the DNPT and Andrew Holubeck of COA Neighborhood
Planning and Zoning Dept. Witnessed by Cynthia Medlin, Chair DNPT and Donald Dodson,
President DNA on April 9, 2007**

Dawson Neighborhood News

The Newsletter of the Dawson Neighborhood Association

www.dawsonneighborhood.com

March/April 2007

DNA Snubbed at Planning Commission

—Cynthia Medlin, Chair, DNPT

At the March 27, 2007 Planning Commission meeting, only the Chairman, Dave Sullivan, voted against the Neighborhood Plan Amendment proposed by property owners along our southeast quadrant bordering the Ben White Corridor as represented by Ron Thrower. The vote by the commission was 8 to 1 against the Dawson Neighborhood Planning Team (DNPT). City of Austin Neighborhood Planning and Zoning Dept. (NPZD) staff had decided to support the plan amendment even though the DNPT had clearly voted against any change in the Future Land Use Map (FLUM) or base zoning of "Block 4" at our meeting February 12, 2007. The DNPT vote was 55 to 31.

When our neighborhood plan was passed by Council this became the equivalent of an ordinance. For city staff to go against an adopted neighborhood plan is an act of arrogance that cannot and will not be ignored by this neighborhood.

The pro-development group asked for changes from Single Family to Commercial Mixed Use land-use designation for properties on two blocks along Ben White, properties on the southern half of the interior block between Dunlap and Krebs (Block 4), and properties on the block east of Wadford on South Congress. The DNPT voted

February 12 against the inner block (4) that has no frontage on Ben White or Congress. Any commercial zoning on this block was viewed as a clear violation of the Dawson Neighborhood Plan's goal to prevent commercial incursion into our residential interior. The DNPT also decided not to vote on the FLUM or zoning changes for the three outer blocks because Mr. Ng and Mr. Sanchez owned properties on these blocks and they were not in favor of a change on their properties.

The property owners seeking redevelopment did not include properties owned by Mr. Ng and Mr. Sanchez in the amendment request. However, in another act of arrogance, city staff put all lots they had excluded into the staff recommendation without notifying Mr. Ng or Sanchez that their properties would be voted on. The Planning Commission accepted the staff recommendation with the exception of adopting a line on block 4 past which commercial uses would not be allowed.

Perhaps most shocking was the last minute introduction by the City staff of a hours-old land-use designation called NMU (Neighborhood Mixed Use) which supposedly allows only "neighborhood friendly uses". The Planning Commission applied this to block 4 without even knowing what it included. Officers of the DNPT received inadequate notice of this new designation and most were unaware of its existence until the hearing. At this time we do not know when this will go to City Council. Those of you wishing to protest total disregard of our neighborhood plan by the City staff should lodge your complaints with the Mayor, Council Members and Carol Haywood who supervises the Director of NPZD, Mr. Greg Guernsey.

Dawson Neighborhood Meeting

Monday

April 9, 2007 6:30 PM

DNA Meeting Agenda

1. Approval of February minutes
2. Old Business
3. New business

Dawson Neighborhood Planning Team Agenda

1. Announcements/New Business
2. Vote on new VMU rules

South Austin Multipurpose Center
2508 Durwood

e-mail list

To join the DNA listserv and receive neighborhood news by email, send an email message to

DawsonNeighborhood-subscribe@yahoogroups.com

or go to

<http://groups.yahoo.com/group/DawsonNeighborhood>

and follow the instructions to join.

Once you are a member, you can receive any messages posted to the list, and you can post messages yourself.

Don't Be Discouraged!

—Donald Dodson, DNA President

Last summer our Planning Team recommendation lost at the Planning Commission but then a week later the City Council unanimously reversed their vote. The Planning Commission has now voted against us again, but the Council has yet to decide. The Planning Commission is appointed. City Council is elected. We will have a better chance there. Call if you want to help, 484-1146.

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DAWSON NEIGHBORHOOD PLAN TEAM
VERTICAL MIXED USE OVERLAY DISTRICT BALLOT
MONDAY, APRIL 9, 2007

[] SOUTH FIRST STREET – Opt-In or Opt-Out by address one or more of the following:

- Dimensional standards or “density bonuses”
- Commercial use parking reductions
- “Bonus” ground floor uses available for particular properties
- Increased affordability for VMU rental units

Note: Opt-In or Opt-Out for one or more of the above requires additional meeting(s)

[] SOUTH CONGRESS AVE - Opt-In or Opt-Out by address one or more of the following:

- Dimensional standards or “density bonuses”
- Commercial use parking reductions
- “Bonus” ground floor uses available for particular properties
- Increased affordability for VMU rental units

Note: Opt-In or Opt-Out for one or more of the above requires additional meeting(s)

[] OPT-IN ON ADDITIONAL COMMERCIAL PROPERTIES ALONG THESE TWO
CORRIDORS WHICH ARE NOT INCLUDED ON THE CURRENT VMU MAP

Note: this option requires additional meeting(s)

[] TAKE NO ACTION TO OPT-IN OR OPT-OUT BY ADDRESS AND ALLOW
VERTICAL MIXED USE STANDARDS TO BE IMPOSED ON THE LISTED PROPERTIES
ALONG SOUTH FIRST STREET AND SOUTH CONGRESS AVE.

FINAL VOTE COUNT

VERTICAL MIXED USE OVERLAY DISTRICT BALLOT
DAWSON NEIGHBORHOOD PLAN TEAM MEETING
MONDAY, APRIL 9, 2007

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SOUTH FIRST STREET AND SOUTH CONGRESS AVE.**

No marks for this one on the ballots

Write-in: “Add commercial property on Ben White” For: 9

Ballots counted by Rob Robbins of the DNPT and Andrew Holubeck of COA Neighborhood Planning and Zoning Dept. Witnessed by Cynthia Medlin, Chair DNPT and Donald Dodson, President DNA on April 9, 2007

**Dawson Neighborhood Association Meeting April 9, 2007
Minutes**

Donald announced that there is no DNA sign-up sheet and that anyone who signs up on the DNPT sheet will be registered as present at the DNA meeting

Donna moved to approve the minutes from the February 12, 2007 meeting. Russell A seconded. Minutes were approved with only Julie A and Jim L opposing. Jim L stated that his opposition was to the implication in the minutes that Mr. Ng opposes a FLUM change on his property. Julie A stated that her opposition was the same, but for Mr. Sanchez. Donald D reminded the group that neither Mr. Sanchez nor Mr. Ng applied for a land use (FLUM) change to their properties. Jim L moved to remove "their FLUM or" from the sentence discussing the Ngs. Ron seconded. Motion carried 13 to 9. Julie A moved to remove "either" and "or FLUM" from the sentence discussing Mr. Sanchez. Jim L seconded. Motion carried 16 to 10. Tammy B moved that we approve the amended minutes. Chuck W seconded. Motion carried 19 to 8.

Dan O informed the group regarding the upcoming creek clean-up and the electric lawnmower sale at Home Depot. Donald D informed the group of potential seed planting by Dawson Elementary students along the creek and suggested that interested landowners contact Nancy Pfeil. Chuck W announced a plant share at the NW corner of Wilson and Cumberland.

Jim L moved that it be mandatory that all meetings be electronically recorded and that the device be given to the present secretary and that the device be purchased by himself. Cole A seconded and added an amendment that the secretary upload the recording to the Yahoo group on the day after each meeting. Motion failed 16 to 20.

Kam M moved to adjourn. Tammy B seconded. Motion carried unanimously.

**Dawson Neighborhood Plan Team Meeting, April 9, 2007
Minutes**

Cynthia informed the group of a potential fashion lounge on S. Congress that may request a rezoning to CS-1 from CS. No details are available as yet.

David H. moved that DNPT amend section 4A of the bylaws to add "...but shall be limited to one non-resident owner in addition to all residents at the same address" to limit the number of non-resident voting members at each property. David B. seconded. This amendment will be posted in the newsletter and a formal vote will be taken at the June meeting.

Cynthia M and Andrew Holubeck of NPZD discussed the Vertical Mixed Use Building options developed by the city. City deadline for neighborhood decision is June 4. Rob R pointed out that our next regular meeting is after that and that the current by-laws do not allow the DNPT to call additional official meetings. Thus, DNPT needs to

vote on VMUB this evening. Cynthia M. pointed out this again demonstrated the problem of not being able to have additional DNPT meetings when needed. She asked if there was anyone who wanted to move to add the issue of empowering DNPT to meet at times other than in conjunction with DNA meetings to the ballot for amendment of the DNPT Bylaws. There was discussion of why increased flexibility was needed to meet COA time frames. Russell A moved to amend the bylaws to allow the DNPT to call meetings that are not held to the schedule of the DNA by notifying all current members of DNPT. Donna K seconded. Jerry H amended the motion to add "...one week in advance." Vince O seconded. Motion carried 36 to zero to add the motion to the ballot.

Cynthia M passed out ballots for VMUB. Those in attendance voted but because DNPT had overstayed its time limit the meeting was adjourned before the count was finalized. Ballots were counted at Donald D's house by Andrew H and Rob R as witnessed by Cynthia M and Donald D. There were 32 ballots cast. The final vote was to Opt In on the South First St (SF) and South Congress Ave (SC) corridors as follows:

1) dimensional standards (SF 30 for 2 op & SC 30 for 2 op); 2) commercial use parking reductions (SF 18 for 14 op & SC 19 for 13 op); 3) bonus ground floor uses (SF 32 for 0 op & SC 32 for 0 op); and 4) increased affordability down to 60% (SF 31 for 1 op & SC 31 for 1 op) on the areas designated on the city's map. Further details at next meeting.

Dawson Neighborhood Planning Area
VMU-Tract Table
C14-2007-0236

Vertical Mixed Use (VMU) Overlay District

Tract #	TCAD Property ID	COA Address	FROM	TO
1	305589	531 W OLTORF ST 533 W OLTORF ST	CS-CO-NP; CS-1-CO-NP	CS-V-CO-NP; CS-1-V-CO-NP
2	305464	2607 S 1ST ST	CS-CO-NP	CS-V-CO-NP
	305468	2617 S 1ST ST 2617 1/2 S 1ST ST	CS-CO-NP	CS-V-CO-NP
	305485	2613 S 1ST ST	CS-CO-NP	CS-V-CO-NP
3	307177	2707 S 1ST ST	CS-CO-NP	CS-V-CO-NP
4	307174	2807 S 1ST ST	LR-MU-CO-NP	LR-MU-V-CO-NP
5	307262	2901 S 1ST ST	GR-CO-NP	GR-V-CO-NP
	307288	2907 S 1ST ST	CS-CO-NP	CS-V-CO-NP
6	307364	2915 S 1ST ST 2915 1/2 S 1ST ST	CS-CO-NP	CS-V-CO-NP
	372054	2911 S 1ST ST	CS-CO-NP	CS-V-CO-NP
7	309826	3205 S 1ST ST	CS-CO-NP	CS-V-CO-NP
8	309746	3507 S 1ST ST	LR-CO-NP	LR-V-CO-NP
9	310918	3801 S 1ST ST	LO-NP	LO-V-NP
	310951	3809 S 1ST ST	LO-NP	LO-V-NP
10	312657	420 1/2 W BEN WHITE BLVD WB	CS-CO-NP	CS-V-CO-NP
11	312626	3900 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	312629	3906 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	312575	.47 AC BLK 6&7 FORTVIEW ADDN	CS-CO-NP	CS-V-CO-NP
12	312576	3842 S CONGRESS AVE 110 DUNLAP ST	CS-CO-NP	CS-V-CO-NP
	312581	3820 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	312582	3822 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
13	310957	3808 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
14	310888	N65X185FT AV LOT 1-4 BLK 1 POST ROAD	CS-CO-NP	CS-V-CO-NP
	310889	3720 S CONGRESS AVE 110 LESSIN LN	CS-CO-NP	CS-V-CO-NP
	310914	3716 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
15	Portion of 310915	Portion of 121 PICKLE RD excluding the property described in Ordinance #870730-0.	CS-CO-NP	CS-V-CO-NP
16	310912	3630 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
17	310911	3600 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	310913	3612 S CONGRESS AVE	CS-1-CO-NP	CS-1-V-CO-NP
18	309749	3510 S CONGRESS AVE 116 W ALPINE RD 112 W ALPINE RD	CS-CO-NP	CS-V-CO-NP
	309752	3500 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	309753	3504 S CONGRESS AVE 3412 S CONGRESS AVE 3406 S CONGRESS AVE 3400 S CONGRESS AVE 3400 1/2 S CONGRESS AVE 105 LIGHTSEY RD	CS-CO-NP	CS-V-CO-NP

Dawson Neighborhood Planning Area
VMU-Tract Table
C14-2007-0236

Tract #	TCAD Property ID	COA Address	FROM	TO
19	309890	3308 1/2 S CONGRESS AVE 3300 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
20	309867	3202 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
		3200 S CONGRESS AVE		
	309868	3216 S CONGRESS AVE	CS-CO-NP; CS-1-NP	CS-V-CO-NP; CS-1-V-NP
		3214 S CONGRESS AVE		
		3212 S CONGRESS AVE		
		3210 S CONGRESS AVE		
		3208 S CONGRESS AVE		
21A	Portion of 309769	Portion of 3116 S CONGRESS AVE: A 0.16 acre (6766 square feet) tract of land out of Lot 1-A, resubdivision of Lots 1 and 6, Block 4, Brackenridge Heights as recorded in book 7, Page 87 of the Plat Records of Travis County, Texas.	CS-CO-NP	CS-V-CO-NP
21B	309767	3100 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
22	307336	3004 S CONGRESS AVE	CS-1-NP	CS-1-V-NP
		3002 S CONGRESS AVE		
		3000 S CONGRESS AVE		
	307337	3018 1/2 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
23	574168	2718 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
		2716 S CONGRESS AVE		
	574169	2712 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	307317	2810 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
		2730 S CONGRESS AVE		
	307318	2824 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	307320	2910 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	307321	101 X 245 FT AV OF LOT 33-34 ROBARDS SUBD	CS-CO-NP	CS-V-CO-NP
	307322	S 50 X 243.19 FT AV LOT 34 ROBARDS SUBD	CS-CO-NP	CS-V-CO-NP
	380480	2900 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	Portion of 574165	Portion of 2728 S CONGRESS AVE - 30,786 acres out of 1.22 acres of Lot 1 of Live Oak Grove Addn	CS-CO-NP	CS-V-CO-NP
24	305577	2620 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	305580	124 CUMBERLAND RD	CS-CO-NP	CS-V-CO-NP
	305582	2538 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	305583	2602 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
	305584	LOT B OAK GLEN II-A	CS-CO-NP	CS-V-CO-NP

Dawson Neighborhood Planning Area
VMU-Tract Table
C14-2007-0236

Tract #	TCAD Property ID	COA Address	FROM	TO
25	305549	2510 S CONGRESS AVE	CS-CO-NP; GR-CO-NP	CS-V-CO-NP; GR-V-CO-NP
	Portion of 305550	Portion of 2514 1/2 and 2530 S CONGRESS AVE: The easternmost portion, approximately 0.83 acres, to a depth of approximately 297 linear feet from the frontage of the property on South Congress Avenue.	CS-CO-NP	CS-V-CO-NP
	Portion of 305585	2400 S CONGRESS AVE, 101, 123, 131, AND 133 W OLTORF ST, save and except for a portion, approximately 7425 square feet, to a depth of 135 linear feet from the frontage of the property on Euclid Avenue.	CS-CO-NP; GR-CO-NP	CS-V-CO-NP; GR-V-CO-NP
	446507	2500 S CONGRESS AVE 2424 S CONGRESS AVE 2424 1/2 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP

Vertical Mixed Use (VMU)
OPT-IN Properties

Tract #	TCAD Property ID	COA Address	FROM	TO
101	307175	2715 S 1ST ST	CS-CO-NP	CS-V-CO-NP
102	309792	3105 S 1ST ST	CS-CO-NP	CS-V-CO-NP
	309793	515 HAVANA ST	CS-CO-NP	CS-V-CO-NP
	309808	3115 S 1ST ST	CS-CO-NP	CS-V-CO-NP
103	309827	513 SOUTH PARK DR	CS-CO-NP	CS-V-CO-NP
	309842	516 LIGHTSEY RD	CS-CO-NP	CS-V-CO-NP
	309843	520 LIGHTSEY RD	CS-CO-NP	CS-V-CO-NP
104	Portion of 309891	Portion of 3314 S CONGRESS AVE: The easternmost portion, approximately 7870 square feet, to a depth of approximately 123 linear feet from from the frontage of the property on South Congress Avenue.	CS-CO-NP	CS-V-CO-NP
105	309768	3110 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
106	309846	LOT 1 BLK 5 *LESS S5FT OF BRINWOOD SEC 1	CS-CO-NP	CS-V-CO-NP
107	307319	2908 S CONGRESS AVE	CS-CO-NP	CS-V-CO-NP
108	574167	119 CUMBERLAND RD	CS-CO-NP	CS-V-CO-NP
	574166	2705 EDENS DR	LO-NP	LO-V-NP
109	305579	.37 ACR OF LOT 9 LIVE OAK GROVE ADDN	CS-CO-NP	CS-V-CO-NP

Dawson Neighborhood VMU Neighborhood Recommendations
C14-2007-0236

VMU Overlay District (OPT-OUT Properties)

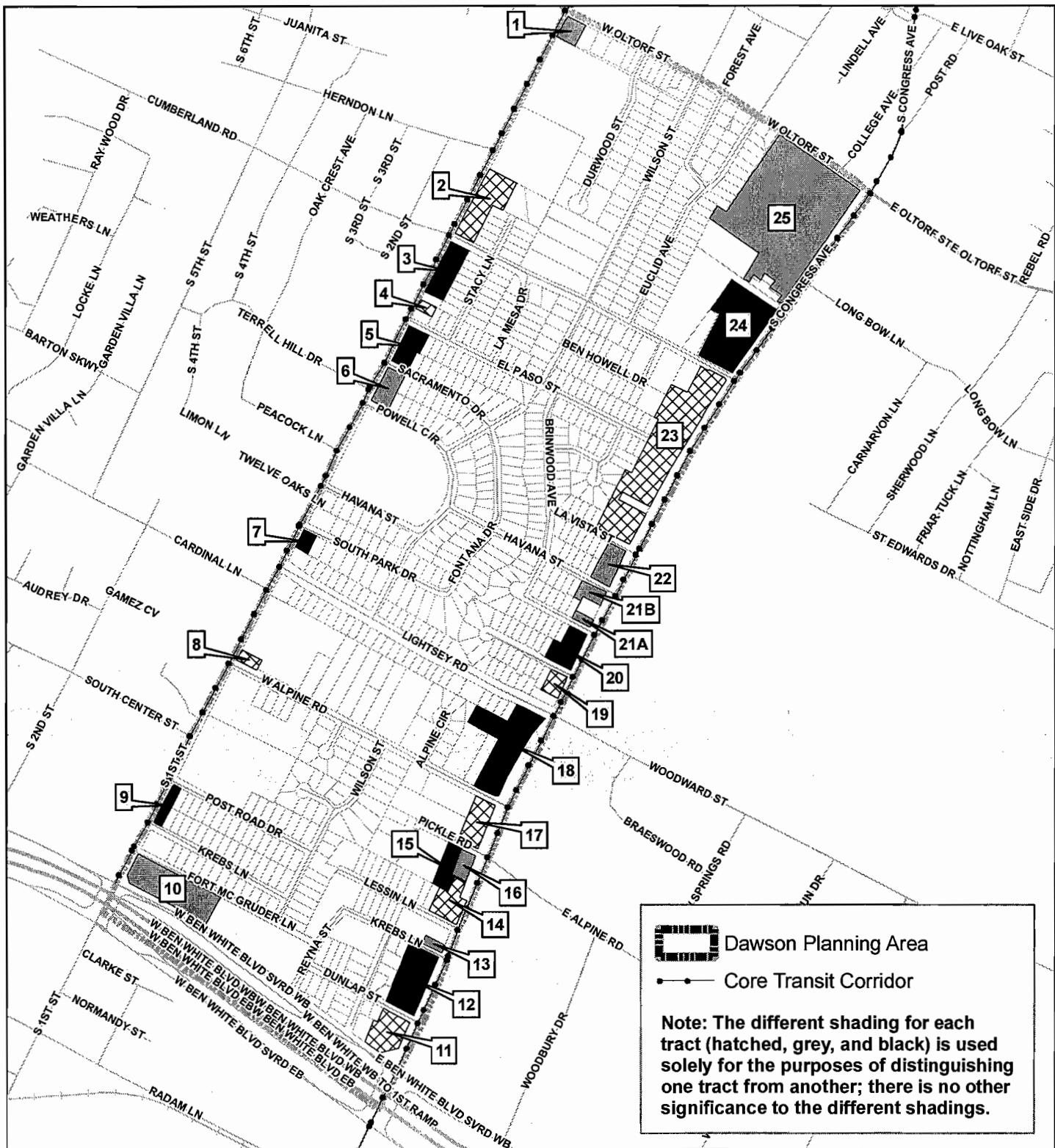
Tract # (1)	All VMU-Related Standards Apply	OPT OUT (2)			Exclude from VMU Overlay District
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
2-3, 5-7, 10-14, 16-25	X				
1, 4, 8-9, 15					X

Vertical Mixed Use OPT-IN Properties

Tract # (1)	OPT IN (2)			All VMU-Related Standards Apply
	Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
101-109				X

RECOMMENDED AFFORDABILITY LEVEL OF RENTAL UNITS: 60%

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.
 (2) Please refer to attached information for explanations of Opt-In and Opt-Out options.



**Dawson Neighborhood Planning Area
Vertical Mixed Use (VMU) Tract Map
VMU Overlay District (OPT-OUT Properties)
Case # C14-2007-0236**

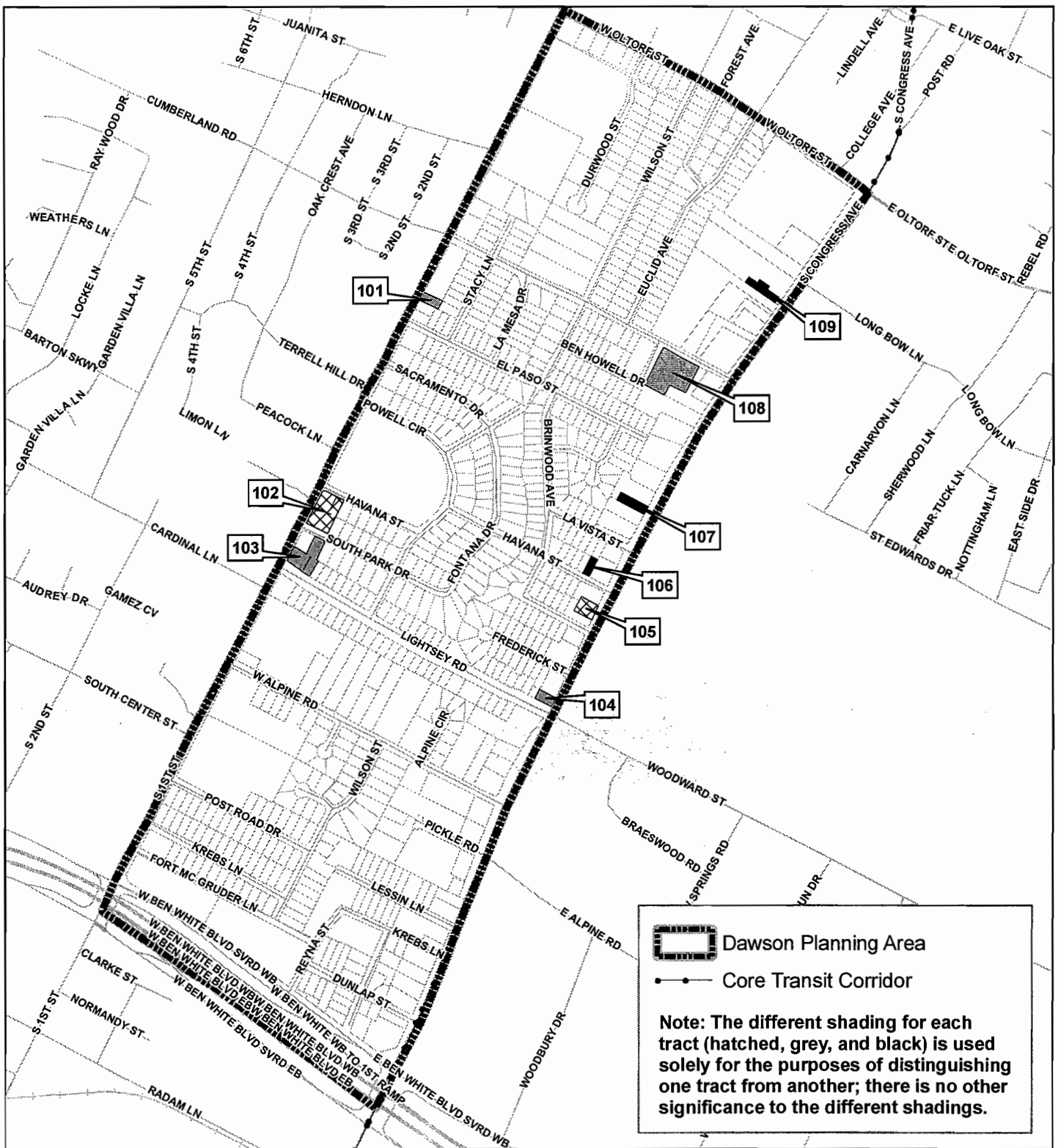
0 500 1,000 2,000 Feet



Produced by City of Austin
Neighborhood Planning and Zoning Dept.
November 20, 2007

Please refer to attached tables "Dawson
Neighborhood VMU Application Properties" and
"Dawson Neighborhood VMU Neighborhood
Recommendations" for more information.

This map has been produced by the City of Austin for
the sole purpose of aiding regional planning and is not
warranted for any other use. No warranty is made
regarding its accuracy or completeness.



**Dawson Neighborhood Planning Area
Vertical Mixed Use (VMU) Tract Map
VMU OPT-IN Properties
Case # C14-2007-0236**

0 500 1,000 2,000 Feet

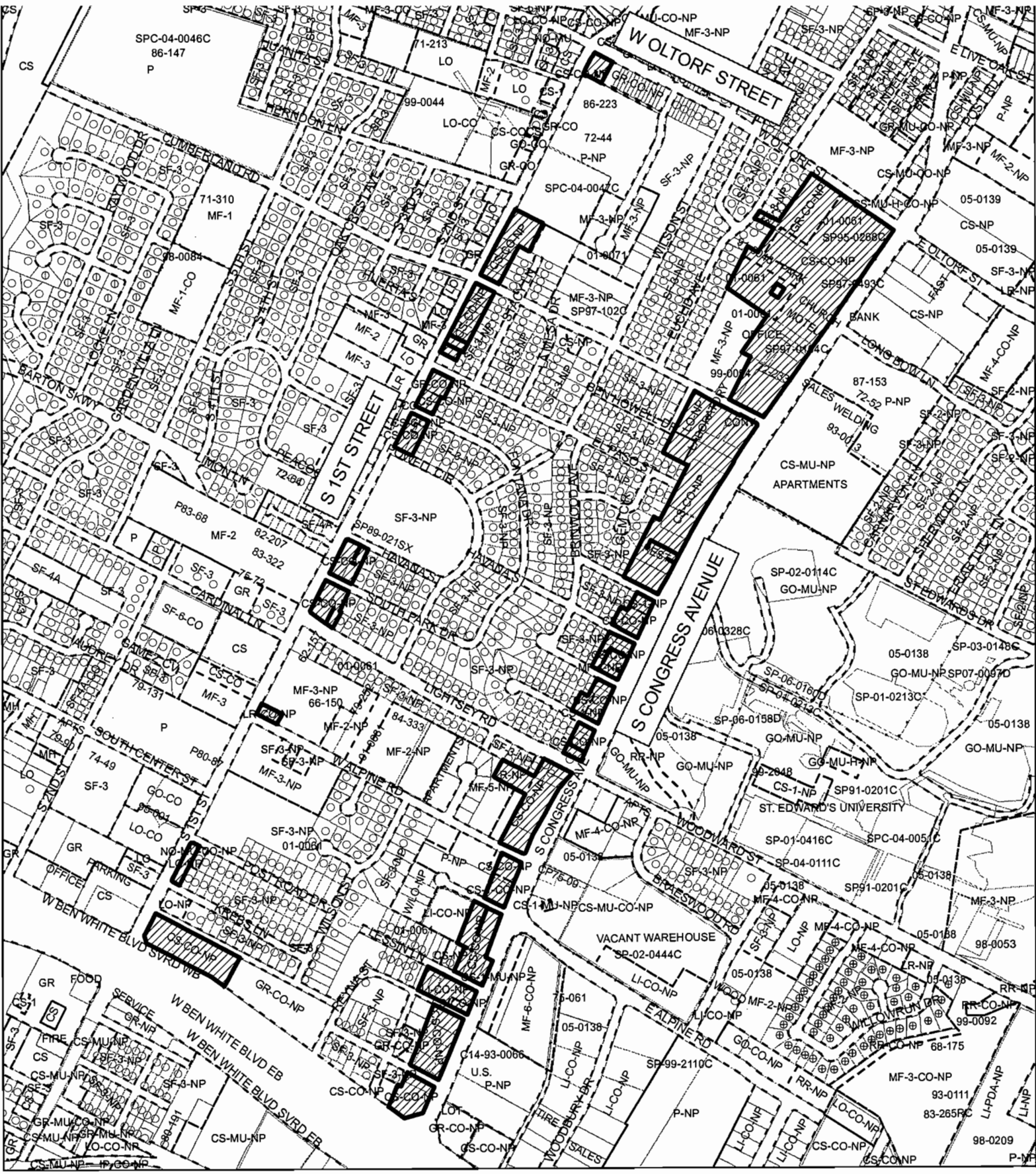


Please refer to attached tables "Dawson Neighborhood VMU Application Properties" and "Dawson Neighborhood VMU Neighborhood Recommendations" for more information.






Produced by City of Austin
Neighborhood Planning and Zoning Dept.
November 20, 2007

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ZONING

-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING CASE#: C14-2007-0236
ADDRESS: W OLTORF ST
SUBJECT AREA: 48.83 ACRES
GRID: H18-20
MANAGER: A. HOLUBECK

OPERATOR: S. MEEKS



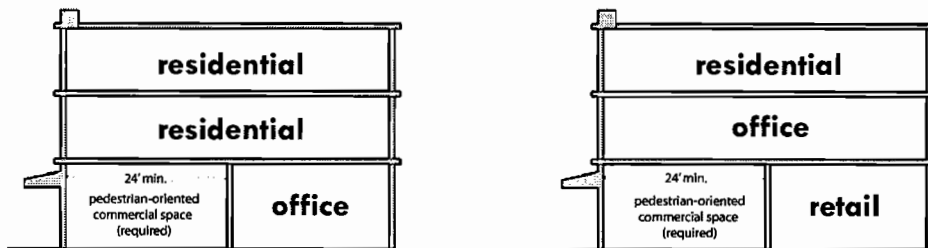
1" = 800'

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OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS

WHAT IS A VERTICAL MIXED USE BUILDING?

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

WHY VERTICAL MIXED USE BUILDINGS?

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

WHAT ARE THE STANDARDS FOR A BUILDING?

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component

WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

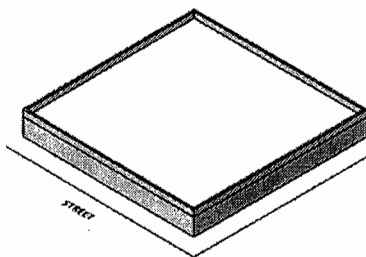
Dimensional Standards

These dimensional standards listed below are a “package” and must be accepted or rejected as such in the opt-in/opt-out process.

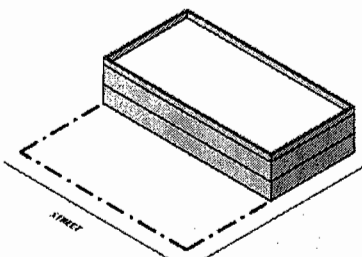
- Setbacks—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- Floor to Area Ratio—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

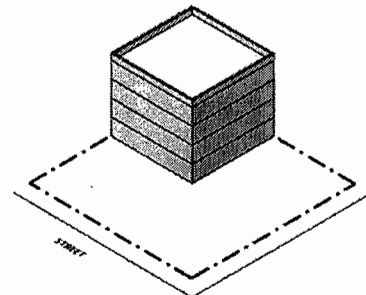
For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



FAR=1.0
10,000 sq. ft. building
covering 100% of lot



FAR=1.0
10,000 sq. ft. building
covering 50% of lot



FAR=1.0
10,000 sq. ft. building
covering 25% of lot

- Building Coverage—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- Minimum Site Area—no “minimum site area” requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances

such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

Additional Ground Floor Commercial Uses in Office Districts

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:
http://www.ci.austin.tx.us/zoning/downloads/hp_guide.pdf.

WHAT IS THE OPT-IN/OPT-OUT PROCESS?

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and parking exemptions they are subject to certain affordability requirements.

Owner-Occupied Units—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

Rental Units—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

OTHER FREQUENTLY ASKED QUESTIONS:

DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Site plans approval requires a public hearing before the Planning Commission. All property owners and registered neighborhood organizations within 300 feet of a proposed vertical mixed use development will be notified of the public hearing via US Mail.

WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?

The City's impervious cover limits and compatibility standards will still apply.

WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?

http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>

A #13

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2007-0236

Planning Commission Hearing Date: December 11, 2007

Name (please print) SYE ANNE BASS

Address 505 South Park Drive
Austin TX 78704

- ☐ I am in favor
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)

PLANNING COMMISSION HEARING

DATE: December 11, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

CITY COUNCIL HEARING

DATE: January 10, 2008

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Dawson Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: andrew.holubeck@ci.austin.tx.us. Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

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File # C14-2007-0236

Planning Commission Hearing Date: December 11, 2007

Name (please print) Sara Guidetti

Address 2215 Post Road, Unit 1070
Austin, TX 78704

☐ I am in favor
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)

INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

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File # C14-2007-0236

Planning Commission Hearing Date: December 11, 2007

Name (please print)

Thomas Esparza, Jr.

Address

1811 S. 1st, Austin, TX 78704



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

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